

Message Text

UNCLASSIFIED

PAGE 01 SANA 01605 271204Z
ACTION FBOE-00

INFO OCT-01 NEA-10 ISO-00 L-03 /014 W
-----271207Z 010728 /53
P 270930Z APR 77
FM AMEMBASSY SANA
TO SECSTATE WASHDC PRIORITY 1074

UNCLAS SANA 1605

E.O. 11652: N/A
TAGS: ACLM; AFSP, YE
SUBJECT: LOCAL LAW SUIT, USG VERSUS MOHAMED ABDUL WASIR AHMED, LESSOR
OF
FBO-40 (MARINE HOUSE)

REF: A) STATE AIRGRAM 1362; B) 2 FAM 284

BEGIN SUMMARY: SUBJECT LESSOR HAS SERVED NOTICE TO CONTRACTING OFFICE
R
THAT HE INTENDS TO ATTEMPT TOBREAK OUR LEASE BY BRINGING FORMAL ACTIO
N
THROUGH THE MINISTRY OF FOREIGN AFFAIRS AND THE LOCAL RELIGIOUS COURT
.
END SUMMARY.

1) OVER THE PAST SIX WEEKS THE EMBASSY CONTRACTING OFFICER HAS BEEN I
N
THE PROCESS OF NEGOTIATING IN AN ATTEMPT TO FIND SOME SOLUTION WITH
THE LESSOR OVER THE OCCUPANCY OF FBO-40. AS OF THIS DATE NEGOTIA-
TIONS HAVE BROKEN DOWN, AND THE CASE WILL NOW BE ENTERING THE
YEMENI LEGAL SYSTEM.

2) SYBJECT LEASE WAS DRAWN UP ON 22 JUNE 1975 FOR A PERIOD OF SIX FIRM
YEARS, FOLLOWED BY AN OPTION FOR THREE ADDITIONAL YEARS. THE LEASE
WAS DRAWN UP ALONG THE LINES OF 6 FAM EXHIBIT 726, AND FURTHERMORE
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 SANA 01605 271204Z

WAS TRANSLATED INTO ARABIC, SO THAT NO CONFUSION COULD OCCUR.

3) ON 17 FEBRUARY 1977 THE YEMENI GOVERNMENT PUT INTO EFFECT LAW NO.
127
WHICH REGULATES THE LEASE OF PREMISES. THIS LAW SLANTED HEAVI-
LY TOWARDS LESSOR, BUT SOME AMBIGUITIES REMAIN TO BE RESOLVED.
LESSOR OF FBO-40 OBVIOUSLY FEELS HE CAN WIN THE CASE. CONTRACTING

OFFICER AND OTHER EMBOFFS ARE NOT TOO HOPEFFL OF WINNING ANY SUCH FORMAL ACTION FOR FOLLOWING REASONS:

A) NORMAL ATTITUDE OF YARG USUALLY PLACES FOREIGN EMBASSIES AND COMPANIES AT A DISADVANTAGE WHEN A CASE REACHES THIS STAGE.

B) CASES TO BE TRIED IN LOCAL RELIGIOUS COURT WHICH IS STACKED TOTALLY IN FAVOUR OF LANDLORDS WITH LITTLE RESPITE FOR PLAINTIFF.

C) PREVIOUS CASE INVOLVING LANDLORD/EMBASSY, ALTHOUGH NOT CLEAR CUT, WENT IN FAVOUR OF LANDLORD.

D) LOOP HOLES IN LAW NO. 127 ARE ALL IN FAVOUR OF LANDLORD.

4) EMBASSY EXPECTS FORMAL NOTE FROM MINISTRY O/A 30 APRIL 1977, AT WHICH TIME ALL PAPER WORK WILL BE FORWARDED BY AIRGRAM AS REQUIRED BY REF A-1362.

5) EMBASSY INTENDS, UNLESS TOLD TO THE CONTRARY, TO START START STAL-LING ACTION AS SOON AS FORMAL NOTICE IS RECEIVED. WE WILL KEEP YOU ADVISED.

SCOTES

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 27-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977SANA01605
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770146-1232
Format: TEL
From: SANA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770414/aaaaalir.tel
Line Count: 82
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 3447c19c-c288-dd11-92da-001cc4696bcc
Office: ACTION FBOE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 STATE 1362
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 06-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2678436
Secure: OPEN
Status: NATIVE
Subject: LOCAL LAW SUIT, USG VERSUS MOHAMED ABDUL WASIR AHMED, LESSOR OF FBO-40 (MARINE HOUSE)
TAGS: ACLM, AFSP, YE
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/3447c19c-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009